

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ADHI PARASAKTHI CHARITABLE,	:	
MEDICAL, EDUCATIONAL, AND	:	
CULTURAL SOCIETY OF NORTH AMERICA,	:	CIVIL ACTION
	:	
Plaintiff,	:	No. 09-cv-1626
	:	
v.	:	
	:	
TOWNSHIP OF WEST PIKELAND,	:	
	:	
Defendant.	:	

ORDER

AND NOW, this 23rd day of June, 2010, upon consideration of Defendant's Motion for Summary Judgment (Doc. No. 70), Plaintiff's Cross-Motion for Summary Judgment (Doc. No. 74), and responses thereto, for the reasons contained in the attached Memorandum, it is hereby ORDERED that the Motions are GRANTED in part and DENIED in part. It is further ORDERED as follows:

1. Summary judgment is granted in Plaintiff's favor on Count I insofar as it charges Defendant with enacting a prior restraint on its expressive speech. The conditional-use portion of Defendant's Zoning Ordinance is hereby declared unconstitutional in its application to expressive conduct, and Defendant is enjoined from applying this portion to applications that involve expressive uses of land unless and until Defendant adopts some sort of limiting construction or other clarifying directions on how the Ordinance is to be applied that limits the Zoning Board's discretion in deciding what speech is to be permitted. After the conclusion of the trial, we will consider what, if any, damages are appropriate on this Count. In all other respects, summary judgment is granted in Defendant's favor on Count I;

2. Summary judgment is denied to both Plaintiff and Defendant on Count II;
3. Summary judgment is granted in Defendant's favor on all charges contained in Count III;
4. Count IV of Plaintiff's Complaint is DISMISSED as Plaintiff lacks standing to bring this claim;
5. Summary judgment is granted in Defendant's favor on Plaintiff's claims pursuant to 42 U.S.C. §§ 2000cc(b)(1) and (b)(3);
6. Summary judgment is denied to both Plaintiff and Defendant on Plaintiff's claim under 42 U.S.C. § 2000cc(b)(2).

BY THE COURT:

s/J. Curtis Joyner
J. CURTIS JOYNER, J.